

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28804 of 2016

Arising Out of PS.Case No. -55 Year- 2012 Thana -PARAIYA District- GAYA

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Moti Paswan @ Mundrika Paswan Son of Late Bhando Paswan @
Jagnandan Paswan Resident of Village - Sahpur, P.S. - Paraiya, District -
Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Shekhar, Advocate

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 31-08-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 12.04.2016
in connection with Paraiya P.S. Case No. 55 of 2012 registered
for offences under Sections 302 and 201/34 of the Indian Penal
Code.

The prosecution story, in brief, is that the informant was
working as guard at brick-kiln. In the preceding night three
persons arrived at the brick-kiln and introduced them as member
of Ranveer Sena and they wanted some water to drink. Another
guard Ashok Ram was ordered to carry water. The guard Ashok
Ram accompanied those persons with container of water, when
they did not return the informant narrated the whole story to the
cousin of Ashok Ram and his family members. The informant has
further alleged that in the next morning at 8.30 A.M. the dead

body of Ashok Ram was found in Jamalpur Badh, Malhichak Dhabar. The informant has further assured that the persons who had come for water at the brick-kiln have killed the Ashok Ram.

On behalf of the petitioner it is submitted that the petitioner is in custody since 12.04.2016. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Petitioner is not named in the FIR. After two years of the occurrence, his name has come in course of investigation. Other co-accused have been granted bail vide Cr. Misc. No. 28443 of 2016.

On behalf of the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Paraiya P.S. Case No. 55 of 2012.

(Sudhir Singh, J)

Prakash/-

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